



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Examining Operations

Application of: Pittenger, et al.
Serial No: 10/690,435
Filed: 21 October 2003
Title: Cardiac Muscle Regeneration Using Mesenchymal Stem Cells
Attorney
Docket No.: 640100-470

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed please find the following:

1. Executed Declaration;
2. A self-addressed, postage paid, return receipt postcard, date stamp and return of which is respectfully requested.

The Commissioner is authorized to charge payment of any additional filing fees required under 37 C.F.R. 1.16 associated with this communication or credit any overpayment to Deposit **Account No. 03-0678**.

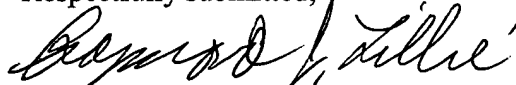
FIRST CLASS CERTIFICATE

I hereby certify that this correspondence is being deposited today with the U.S. Postal Service as First Class Mail in an envelope addressed to:

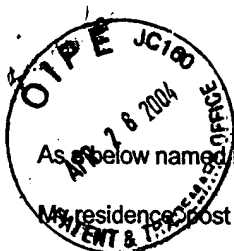
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


Raymond J. Lillie, Esq. 4/23/04
Date

Respectfully submitted,


Raymond J. Lillie, Esq.
Reg. No. 31,778

CARELLA, BYRNE, BAIN, GILFILLAN,
CECCHI, STEWART & OLSTEIN
Five Becker Farm Road
Roseland, New Jersey 07068
T: (973) 994-1700
F: (973) 994-1744



DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

CARDIAC MUSCLE REGENERATION USING MESENCHYMAL STEM CELLS

the specification of which ☐ is attached hereto or ☒ was filed on 21 October 2003 as Application Serial No. 10/690,435 and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37 Code of Federal Regulations Section 1.56(a).

I hereby claim foreign priority benefits under Title 35 United States Code Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed. Prior Foreign Application(s):

| <u>PCT/US98/14520</u> (Number) | <u>PCT</u> (Country) | <u>14 July 1998</u> (Day/Month/Year Filed) | <u>Priority Claimed</u> | |
|--|---|---|--|--------------------------------|
| | | | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| I hereby claim the benefit under Title 35 United States Code Section(s) 119 and/or 120 of any United States application(s) listed below and insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35 United States Code Section 112 I acknowledge the duty to disclose material information as defined in Title 37 Code of Federal Regulations Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application: | | | | |
| <u>60/052,910</u> (Application Serial No.) | <u>14 July 1997</u> (Filing Date) | <u>Abandoned</u> (Status – pending provisional, patented, pending, abandoned) | | |
| <u>09/446,952</u> (Application Serial No.) | <u>27 March 2000</u> (Filing Date) | <u>Patented- Patent No. 6,387,369</u> (Status – pending provisional, patented, pending, abandoned) | | |
| <u>10/127,737</u> (Application Serial No.) | <u>22 April 2002</u> (Filing Date) | <u>Abandoned</u> (Status – pending provisional, patented, pending, abandoned) | | |
| <u>10/278,148</u> (Application Serial No.) | <u>22 October 2002</u> (Filing Date) | <u>Pending</u> (Status – pending provisional, patented, pending, abandoned) | | |

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: John N. Bain (Reg. No. 18,651); John G. Gilfillan, III (Reg. No. 22,746); Elliot M. Olstein (Reg. No. 24,025); Raymond J. Lillie (Reg. No. 31,778); William Squire (Reg. No. 25,378); Alan J. Grant (Reg. No. 33,389); Francis C. Hand (Reg. No. 22,280); Glennon G. Troublefield (Reg. No. 39,050); and Raymond E. Stauffer (Reg. No. 47,109). Address correspondence and telephone calls to Raymond J. Lillie, Esq., c/o Carella, Byrne, Bain, Gilfillan, Cecchi, Stewart & Olstein, 5 Becker Farm Road, Roseland, NJ 07068 - (973) 994-1700.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: Mark F. Pittenger

Inventor's signature Mark F. Pittenger

Date 1-21-04

Residence 108 Southway, Severna Park, Maryland 21146

Citizenship U.S.A.

Post Office Address same

Full name of sole or first inventor: Stephen L. Gordon

Inventor's signature Stephen L. Gordon Date 1/22/09
Residence ~~6364 Gray Oak Way, Columbia, Maryland 21045~~ Citizenship U.S.A.
Post Office Address ~~same~~ 505 Garden View Way Rockville, MD 20850

Full name of sole or first inventor: Alastair Morgan Mackay

Inventor's signature Alastair Morgan Mackay Date 1/22/09
Residence Four Buttrick Court, No. 204, Timonium, Maryland 21093 Citizenship U.S.A.
Post Office Address same

Full name of sole or first inventor: Bradley J. Martin

Inventor's signature Bradley J. Martin Date 1/23/09
Residence 4856 Ellicott Woods, Ellicott City, Maryland 21043 Citizenship U.S.A.
Post Office Address same